

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re: BAIR HUGGER FORCED AIR
WARMING DEVICES PRODUCTS
LIABILITY LITIGATION

MDL No. 15-2666 (JNE/DTS)

This Document Relates to:

Case Nos.:

17-cv-03549 (*Salinas v. 3M Co., et al.*)
17-cv-04778 (*Brown v. 3M Co., et al.*)
17-cv-05047 (*Clark v. 3M Co., et al.*)
18-cv-00207 (*Guenther v. 3M Co., et al.*)
18-cv-00264 (*Wega v. 3M Co., et al.*)
18-cv-00275 (*Owens v. 3M Co., et al.*)
18-cv-00318 (*Amador v. 3M Co., et al.*)
18-cv-00348 (*Smith v. 3M Co., et al.*)
18-cv-00481 (*Brann v. 3M Co., et al.*)
18-cv-00891 (*Winn v. 3M Co., et al.*)
18-cv-01435 (*Swatchick v. 3M Co., et al.*)
18-cv-01455 (*Matteo v. 3M Co., et al.*)
18-cv-01456 (*Manheim v. 3M Co., et al.*)
18-cv-01542 (*Davis v. 3M Co., et al.*)

**DEFENDANTS' SIXTEENTH MOTION TO DISMISS FOR FAILURE TO
COMPLY WITH PRETRIAL ORDER NO. 14**

Pursuant to the Court's Pretrial Order No. 14 ("PTO 14"), entered September 27, 2016, Defendants 3M Company and Arizant Healthcare Inc. (collectively, "Defendants") respectfully move the Court to dismiss the following plaintiffs' cases for failure to comply with PTO 14:

Case Number	Plaintiff	Firm Name
0:17-cv-03549-JNE-DTS	Salinas	Kennedy Hodges, L.L.P.
0:17-cv-04778-JNE-DTS	Brown	Bernstein Liebhard LLP

0:17-cv-05047-JNE-DTS	Clark	Schlichter Bogard & Denton, LLP
0:18-cv-00207-JNE-DTS	Guenther	Bernstein Liebhard LLP
0:18-cv-00264-JNE-DTS	Wega	The Law Offices of Travis R. Walker, P.A.
0:18-cv-00275-JNE-DTS	Owens	Bernstein Liebhard LLP
0:18-cv-00318-JNE-DTS	Amador	DeGaris & Rogers, LLC
0:18-cv-00348-JNE-DTS	Smith	The Miller Firm, LLC
0:18-cv-00481-JNE-DTS	Brann	Lockridge Grindal Nauen PLLP
0:18-cv-00891-JNE-DTS	Winn	Murray Law Firm
0:18-cv-01435-JNE-DTS	Swatchick	Meshbeshner & Spence
0:18-cv-01455-JNE-DTS	Matteo	Morris Law Firm
0:18-cv-01456-JNE-DTS	Manheim	Morris Law Firm
0:18-cv-01542-JNE-DTS	Davis	Schlichter Bogard & Denton, LLP

As set forth in Defendants’ Memorandum of Law in Support of their Sixteenth Motion to Dismiss for Failure to Comply with Pretrial Order No. 14, there are three (3) categories of cases where plaintiffs have failed to serve a Plaintiff Fact Sheet (“PFS”) compliant with the requirements set forth by the Court in PTO 14: (a) cases where no PFS has been served by plaintiff; (b) cases where plaintiff served a PFS with core deficiencies, and failed to cure them or otherwise respond to Defendants’ deficiency letter; and (c) cases where plaintiff served a PFS with core deficiencies, and failed to cure them after Defendants’ final deficiency letter. Defendants placed the above cases on the agenda for two sequential Court status conferences. Dismissal of these cases with prejudice is therefore appropriate under PTO 14, ¶ 8, and Defendants respectfully request the Court grant their motion regarding same.

Dated: November 1, 2018

Respectfully submitted,

s/Benjamin W. Hulse

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